Sheryl P. Walter Declassified/Released US Department of State EO Systematic Review 20 Mar 2014

Message Text

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PAGE 01 PANAMA 00763 022217Z
ACTION L-01

INFO OCT-01 ARA-10 ISO-00 SS-14 SP-02 H-01 INR-05
SAB-01 PRS-01 SSO-00 INRE-00 /036 W
----------015500 022225Z /61
O 022205Z FEB 78
FM AMEMBASSY PANAMA
TO SECSTATE WASHDC IMMEDIATE 5545

C O N F I D E N T I A L PANAMA 0763

STADIS//////////////////

LIMDIS

E.O. 11652: GDS
TAGS: PANAMA CONSTITUTION
SUBJECT: PANAMA TREATY RATIFICATION

REFS: (A) STATE 025970 (B) STATE 027568 (C) JORDEN/
HANSELL/FELDMAN TELECONS

1. AS YOU KNOW FROM REF. C, I FOLLOWED UP ON REFS A
AND B WITH TOP LEGAL ADVISERS OF PANAMANIAN GOVERNMENT
AS WELL AS FOREIGN MINISTER. PANAMANIANS AGREE FULLY
WITH PROPOSED REPLY TO ARMED SERVICES COMMITTEE ALONG
LINES OF REF. B. THEY SUGGESTED, AS I SAID, THAT IN
PARA. 1 OF REFTEL THE LAST SENTENCE READ: "X X X UNDER
INTERNATIONAL LAW BY AN INTERNAL JUDICIAL DECISION OR
OTHER LEGAL ACT" INSTEAD OF MERELY "BY A JUDICIAL DE-
CISION." IN PARA. 2, THEY SUGGEST WE SPECIFY THE CASE
IN WHICH THE SUPREME COURT REFUSED TO PASS ON THE
VALIDITY OF THE 1903 TREATY (I.E. DOMINGO TURNER,
15 OCTOBER 1965). REGARDING SECOND SENTENCE OF PARA. 2,

THEY NOTE THAT THE COURT HAS ONLY THE RIGHT TO REVIEW
TREATY-RELATED MATTERS AS THEY MIGHT APPLY TO DOMESTIC
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RIGHTS UNDER LAW AND AS THEY APPLY TO INTERNAL AFFAIRS.
THE COURT DOES NOT HAVE THE RIGHT TO REVIEW THE VALIDITY
OF TREATIES THEMSELVES OR OBLIGATIONS AND RIGHTS OF THE
TREATY PARTIES.

2. WE ARE SENDING PERTINENT SECTION OF THE COURT'S

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FINDING IN THE TURNER CASE CITED ABOVE IN SEPTEL.
JORDEN

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NNN

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Message Attributes

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Channel Indicators: n/a
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Copy: SINGLE
Draft Date: 02 feb 1978
Decaption Date: 20 Mar 2014
Decaption Note: 25 YEAR REVIEW
Disposition Action: RELEASED
Disposition Approved on Date:
Disposition Case Number: n/a
Disposition Comment: 25 YEAR REVIEW
Disposition Date: 20 Mar 2014
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Disposition History: n/a
Disposition Reason:
Disposition Remarks:
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